

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

SHELBY COUNTY COURT OF
OF GENERAL SESSIONS, ET AL.,

Plaintiffs,

VS.

ABKA RE BEY,
a/ka TABITHA RECBELLE GENTRY,

Defendant.

No. 2:12-cv-2477-STA-cgc

ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS

On June 18, 2012, Defendant Abka Re Bey a/k/a Tabitha Recbelle Gentry filed a pro se complaint pursuant to 28 U.S.C. § 1444, along with a motion to proceed in forma pauperis.

_____ Federal law provides that the “clerk of each district court shall require parties instituting any such civil action, suit or proceeding in such court, whether by original process, removal or otherwise, to pay a filing fee of \$350,” 28 U.S.C. § 1914(a). To ensure access to the courts, however, 28 U.S.C. § 1915(a) permits an indigent removing defendant to avoid payment of filing fees by filing an in forma pauperis affidavit. Under that section, the Court must conduct a satisfactory inquiry into the removing defendant’s ability to pay the filing fee and prosecute the lawsuit. A removing defendant seeking in forma pauperis standing must respond fully to the questions on the Court’s in forma pauperis form and execute the affidavit in compliance with the certification requirements contained in 28 U.S.C. § 1746.

In this case, the Removing Defendant's has submitted a properly completed and executed in forma pauperis affidavit. The information set forth in the affidavit satisfies Removing

Defendant's burden of demonstrating that she is unable to pay the civil filing fee. Accordingly, the motion to proceed in forma pauperis is GRANTED.

So ORDERED this 21st day of June, 2012.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE